

**ATTORNEY DOCKET NO. 81053 7114  
Sony Ref. No. 50S5261**

**DECLARATION AND POWER OF ATTORNEY FOR NEW PATENT  
APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR USE IN REMOTE DIAGNOSTICS**

the specification of which:

[x] is attached hereto.

[ ] was filed on \_\_\_\_\_ as serial no. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that the application on which priority is claimed.

Foreign Application(s), if any, for Patent or Inventor's Certificate Filed Within 12 Months Prior to the Filing Date of This Application:

<u>Country</u>	<u>Application No.</u>	<u>Date of Filing (day, month, year)</u>	<u>Priority Claimed Under 35 U.S.C. §119</u>
			[ ] YES      [ ] NO

All Foreign Applications, if any, for Patent or Inventor's Certificate Filed More Than 12 Month's Prior to the Filing Date of This Application:

<u>Country</u>	<u>Application No.</u>	<u>Date of Filing</u>
----------------	------------------------	-----------------------

**ATTORNEY DOCKET NO. 81053/7114**  
**Sony Ref. No. 50S5261**

Page 2

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed</u>
			<u>Yes</u> <u>No</u>

I hereby claim the benefit under Title 35, United States Code, §119 of any United States provisional application(s) listed below.

<u>U.S. Provisional Application Number</u>	<u>Filing Date</u>
60/415,863	10-2-02

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the Filing date of the prior application and the national or PCT international Filing date of this application.

<u>Application Serial No.</u>	<u>Date of Filing</u>	<u>Status</u>
		<u>patented, pending abandoned</u>

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

**Practitioners Associated With Customer Number 37123**

Send Correspondence and direct telephone calls to:

**Fitch, Even, Tabin & Flannery  
 9276 Scranton Road, Suite 250  
 San Diego, California 92121-7707  
 Telephone: (858) 552-1311  
 Fax: (858) 552-0095**

ATTORNEY DOCKET NO. 81053/7114  
Sony Ref. No. 50S5261

Page 3

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the U. S. Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Courtney Konopka 2/23/04  
Inventor's signature Date

Courtney Konopka  
Name of sole or first inventor

Carlsbad, California  
Residence (City, State)

2399 Jefferson Street #20, Carlsbad, CA 92008  
Mailing Address

USA  
Citizenship

Inventor's signature Date

Masahiko Seki  
Name of sole or first inventor

Residence (City, State)

Mailing Address

USA  
Citizenship

ATTORNEY DOCKET NO. 81053/7114  
Sony Ref. No. 50SS261

Page 3

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the U. S. Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

---

Inventor's signature

Date

Courtney Konopka

Name of sole or first inventor

Carlsbad, California

Residence (City, State)

2399 Jefferson Street #20, Carlsbad, CA 92008

Mailing Address

USA

Citizenship

 

13 Feb. 2004

Date

Inventor's signature

Masahiko Seki

Name of sole or first inventor

Matsudo-shi, Chiba

Residence (City, State)

1147-1-302, Kamishiki, Matsudo-shi, Chiba, 270-2221, Japan

Mailing Address

USA Japan

Citizenship

Form PTO-1595  
(Rev. 10/02)  
OMB No. 0651-0027 (exp. 6/30/2005)

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

**PATENTS ONLY**

Tab settings ↪ ↪ ↪

↓ ↓ ↓ ↓ ↓ ↓

To the honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Courtney Konopka  
Masahiko Seki

Additional name(s) of conveying party(ies) attached?  Yes  No

## 3. Nature of conveyance:

- Assignment  Merger  
 Security Agreement  Change of Name  
 Other \_\_\_\_\_

Execution Date: February 13, 2004 &amp; February 23, 2004

## 2. Name and address of receiving party(ies)

Name: Sony Corporation, a Japanese Corporation  
Internal Address: \_\_\_\_\_  
\_\_\_\_\_

Street Address: 7-35 Kitashinagawa 6-Chome  
\_\_\_\_\_City: Shinagawa-Ku State: Tokyo  
\_\_\_\_\_Zip: \_\_\_\_\_ Additional name(s) & address(es) attached?  Yes  No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) 10/678,046

B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Thomas F. Lebens  
FITCH, EVEN, TABIN & FLANNERY  
\_\_\_\_\_

Internal Address: \_\_\_\_\_  
\_\_\_\_\_Street Address: Suite 1600 - 120 South LaSalle Street  
\_\_\_\_\_

City: Chicago State: IL Zip: 60603-3406

6. Total number of applications and patents involved:  1

7. Total fee (37 CFR 3.41). . . . . \$ 40 \_\_\_\_\_

 Enclosed Authorized to be charged to deposit account8. Deposit account number:  
06-1135

(Attach duplicate copy of this page if paying by deposit account)

## DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Thomas F. Lebens  
Name of Person Signing

Signature

3/1/04  
DateTotal number of pages including cover sheet, attachments, and documents:  5

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

2. Name and address of receiving party(ies)

Sony Electronics, Inc., a Delaware corporation  
1 Sony Drive  
Park Ridge , NJ 07656

Docket No. 81053/7114

## ASSIGNMENT

WHEREAS, I, as a below named inventor, am a sole inventor (if only one name is listed below) or a joint inventor (if plural names are listed below) of certain new and useful improvements in METHOD AND APPARATUS FOR USE IN REMOTE DIAGNOSTICS, for which application for Letters Patent of the United States of America was executed by me on the date indicated next to my name and address;

AND WHEREAS, Sony Corporation, a Japanese corporation with offices at 7-35 Kitashinagawa 6-Chome, Shinagawa-Ku, Tokyo, Japan and Sony Electronics Inc., a Delaware corporation with offices at 1 Sony Drive, Park Ridge, New Jersey 07656 (hereinafter referenced as ASSIGNEES) is desirous of acquiring all interest in, to and under said invention, said application disclosing the invention and in, to and under any Letters Patent or similar legal protection which may be granted therefor in the United States and in any and all foreign countries;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, as a sole or joint inventor as indicated below, by these presents do hereby assign, sell and transfer unto the said ASSIGNEES, its successors, assigns, and legal representatives, the entire right, title and interest in the said invention, said application, including any divisions and continuations thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted for said invention, and in and to any and all priority rights and/or convention rights under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and to any other benefits accruing or to accrue to me with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, and I hereby authorize and request the Commissioner of Patents to issue the said United States Letters Patent to said ASSIGNEES, as the assignee of the whole right, title and interest thereto;

And I further agree to execute all necessary or desirable and lawful future documents, including assignments in favor of ASSIGNEES or its designee, as ASSIGNEES or its successors, assigns and legal representatives may from time-to-time present to me and without further remuneration, in order to perfect title in said invention, modifications, and improvements in said invention, applications and Letters Patent of the United States and countries foreign thereto;

And I further agree to properly execute and deliver and without further remuneration, such necessary or desirable and lawful papers for application for foreign patents, for filing subdivisions of said application for patent, and or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid invention, as the ASSIGNEES thereof shall hereafter require and prepare at its own expense;

And I further agree that ASSIGNEES will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to me and will testify as to the same in any interference or litigation related thereto;

And I hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

And I hereby authorize and request my attorney(s) of record in this application to insert the execution date, serial number and filing date of this application in the spaces that follow: Serial Number: 10/678,046  
Filing Date: 10-1-03

This assignment is being executed on the date indicated below.

Dated: \_\_\_\_\_

Courtney Konopka

Masahiko Seki

Dated: 13 Feb 2004

Docket No. 81053/7114**ASSIGNMENT**

WHEREAS, I, as a below named inventor, am a sole inventor (if only one name is listed below) or a joint inventor (if plural names are listed below) of certain new and useful improvements in METHOD AND APPARATUS FOR USE IN REMOTE DIAGNOSTICS, for which application for Letters Patent of the United States of America was executed by me on the date indicated next to my name and address;

AND WHEREAS, Sony Corporation, a Japanese corporation with offices at 7-35 Kitashinagawa 6-Chome, Shinagawa-Ku, Tokyo, Japan and Sony Electronics Inc. a Delaware corporation with offices at 1 Sony Drive, Park Ridge, New Jersey 07656 (hereinafter referenced as ASSIGNEES) is desirous of acquiring all interest in, to and under said invention, said application disclosing the invention and in, to and under any Letters Patent or similar legal protection which may be granted therefor in the United States and in any and all foreign countries;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, as a sole or joint inventor as indicated below, by these presents do hereby assign, sell and transfer unto the said ASSIGNEES, its successors, assigns, and legal representatives, the entire right, title and interest in the said invention, said application, including any divisions and continuations thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted for said invention, and in and to any and all priority rights and/or convention rights under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and to any other benefits accruing or to accrue to me with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto, and I hereby authorize and request the Commissioner of Patents to issue the said United States Letters Patent to said ASSIGNEES, as the assignees of the whole right, title and interest thereto;

And I further agree to execute all necessary or desirable and lawful future documents, including assignments in favor of ASSIGNEES or its designee, as ASSIGNEES or its successors, assigns and legal representatives may from time-to-time present to me and without further remuneration, in order to perfect title in said invention, modifications, and improvements in said invention, applications and Letters Patent of the United States and countries foreign thereto;

And I further agree to properly execute and deliver and without further remuneration, such necessary or desirable and lawful papers for application for foreign patents, for filing subdivisions of said application for patent, and or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid invention, as the ASSIGNEES thereof shall hereafter require and prepare at its own expense;

And I further agree that ASSIGNEES will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to me and will testify as to the same in any interference or litigation related thereto;

And I hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

And I hereby authorize and request my attorney(s) of record in this application to insert the execution date, serial number and filing date of this application in the spaces that follow: Serial Number: 10/678,046, Filing Date: 10-1-03.

This assignment is being executed on the date indicated below.

Courtney Konopka  
Courtney Konopka

Dated: 2/23/04

Masahiko Seki

Dated: \_\_\_\_\_

Assignment Docket # 81053/7114

STATE OF CALIFORNIA,  
COUNTY OF SAN DIEGO

On this 23 day of FEB, in the year of 2004, before me, Lorelei A Mitchell, Notary Public, personally appeared the above-named assignors, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that (his/her/their) signature(s) on the instrument, the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

Lorelei A Mitchell

Notary Public

